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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JEFFREY A. MITCHELL,	:	Hon. Robert B. Kugler
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 09-680 (RBK)
	:	
UNITED STATES OF AMERICA,	:	
	:	
Defendant.	:	
	:	

DECLARATION OF J. ANDREW RUYMANN
IN SUPPORT OF DEFENDANT'S MOTION TO SEAL

I, J. Andrew Ruymann, declare and state the following:

1. I am the Assistant U.S. Attorney in the District of New Jersey assigned to represent defendant in this matter. I make this Declaration in support of defendant's Notice of Motion to Seal.

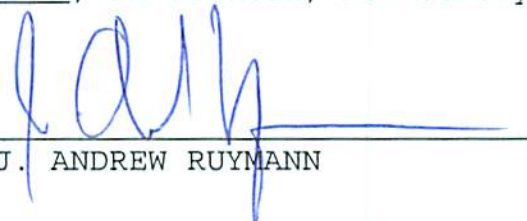
2. Defendant is requesting the entry of an Order pursuant to Local Civil Rule 5.3c, sealing medical records pertaining to plaintiff Jeffrey A. Mitchell, which plaintiff submitted to the Bureau of Prisons as part of his administrative tort claim.

3. Defendant has determined that those medical records should be presented to the Court as part of defendant's Partial

Motion to Dismiss filed July 20, 2012, however, defendant asserts, they should be filed under seal because the medical records include information about plaintiff's physical and mental health that is confidential and should not be available to the public. The medical records are part of Exhibit C to the Declaration of Donna M. Broome, which was filed in support of defendant's Partial Motion to Dismiss.

4. The medical records defendant seeks to be sealed are relevant to defendant's Partial Motion to Dismiss. In order to provide this Court with the full and complete record relating to plaintiff's administrative tort claim submitted to the BOP, which is at issue in defendant's Partial Motion to Dismiss, it is necessary for defendant to file the medical records plaintiff provided to the BOP as part of this administrative tort claim.

Pursuant to Title 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on 7/20/12, in Trenton, New Jersey.


J. ANDREW RUYMANN